

VIRGINIA DEPARTMENT OF ENVIRONMENTAL QUALITY STORM WATER DISCHARGE PERMITTING FOR CONSTRUCTION SITES

EPA published their Phase 1 Storm Water Regulations in November 1990, establishing permitting requirements for construction activity storm water discharges under the National Pollutant Discharge Elimination System (NPDES) permit program. In December, 1999, EPA published their Phase 2 Storm Water Regulations, which added permitting requirements for "small" construction activity storm water discharges. Within the Commonwealth of Virginia, the Department of Environmental Quality (DEQ) administers the storm water permitting program as part of the State's VPDES permit program.

A. Facilities Required To Obtain Permit Coverage

The Phase 1 regulations require a permit for storm water discharges from "large" construction activities, including clearing, grading and excavation, that result in the disturbance of five (5) or more acres of total land area. Construction activity also includes disturbances of less than five acres if the site is part of a larger common plan of development or sale that will ultimately disturb five or more acres.

The Phase 2 regulations require a permit for "small" construction activities, including clearing, grading, and excavation, that result in the disturbance of at least one (1) acre and less than five (5) acres of total land area. Small construction activity also includes disturbances of less than one acre if the site is part of a larger common plan of development or sale that will ultimately disturb at least one acre and less than five acres. Small construction activity does not include routine maintenance that is performed to maintain the original line and grade, hydraulic capacity, or original purpose of the facility.

The owner of any construction site covered by the regulations that discharges storm water from a **point source** to surface waters of the State, through a municipal separate storm sewer system, or through a non-municipal separate storm sewer system, must apply for a VPDES storm water permit. A point source is defined as *"any discernible, confined, and discrete conveyance, including but not limited to, any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, landfill leachate collection system, vessel or other floating craft from which pollutants are or may be discharged"*.

Construction activities are covered by the regulations regardless of the SIC code of the facility, or classification of what is under construction.

The clearing of lands (in any amount) for agricultural purposes is not a regulated activity under the storm water regulations. However, this exemption does not extend to

the construction of buildings. Construction of any building that disturbs 1 acre or more of agricultural or agriculture-related operations must obtain coverage under a construction permit.

A construction activity is exempt from the requirements if the storm water discharge is to a publicly owned treatment works (POTW) or a combined sewer system.

All municipal, State and federal facilities/projects are required to submit a permit application if they are engaged in any construction activity covered by the regulations.

B. Application Options

Two permit application options are available for construction site storm water dischargers:

- Registration for General Permit Coverage; and,
- Individual Permit Applications.

1. General Permit Registration

General permits are permits written for a specific class of dischargers. DEQ has a general permit in effect for construction site storm water discharges.

VAR10 - VPDES General Permit for Storm Water Discharges from Construction Sites.

VAR10 is Virginia's version of EPA's Construction Storm Water General Permit, and became effective on July 1, 2004.

Operators may obtain general permit coverage by filing a Registration Statement with DEQ prior to commencing any land disturbing activities. (A Registration Statement that is mailed is considered to be filed once it is postmarked.) A complete Registration Statement consists of:

(1) The Construction Storm Water General Permit Registration Statement form (SWGP-VAR10-RS), a site map, and a list of the permanent BMPs (both structural and non-structural) that will be installed at the site (for each BMP listed, list the type of BMP to be installed; the geographic location; the waterbody the BMP will discharge into; and the number of acres that will be treated, to the nearest quarter acre.)

(2) Permit Application Fee form and fee. Fees are based on the size of the project. For construction sites (or larger common plans of development or sale) that will disturb 5 or more acres, the fee is \$500.00. For construction sites (or larger common plans of development or sale) that will disturb less than 5 acres, the fee is \$300.00.

Note that there is no application fee for a farming operation engaged in production for market.

The completed Registration Statement, a copy of the Permit Fee form (if applicable) and a copy of your check should be mailed to the DEQ Regional Office serving the area where the construction site is located (Attachment 2 lists the Regional Office locations and addresses).

A copy of the Registration Statement form, the original copy of the Permit Fee form (if applicable) and your check (made out to **Treasurer of Virginia**) should be mailed to the following address:

Department of Environmental Quality
Receipts Control
P.O. Box 10150
Richmond, Virginia 23240

Once the Registration package is deemed complete, the DEQ Regional Office will mail the owner a copy of the general permit for construction activities and indicate the date of coverage.

2. Individual Applications

A complete individual permit application for construction activity consists of EPA Form 1, specific narrative information relating to the construction activity, and a Permit Application Fee form and fee. The fee is \$7,200.

DEQ does not intend to routinely issue individual permits for construction sites. DEQ will usually cover construction sites under the general permit, and will only issue an individual permit under unusual circumstances. If an individual storm water permit is necessary for a construction site, the application must be submitted to DEQ 90 days before the date on which construction is to begin.

C. General Permit Requirements

The main focus of the construction general permit is the development and implementation of a storm water pollution prevention plan (SWPPP) to reduce the pollutants in storm water discharges to the maximum extent practicable. The construction SWPPP is very similar to an Erosion and

Sediment Control Plan, but also includes requirements for management of waste materials and activities at the construction site.

Attachment 1 details the requirements for the development

of the SWPPP. The regulation requires the plan be prepared prior to the submittal of the Registration Statement, and requires compliance with the terms and schedules of the plan

beginning with the commencement of construction activities. The permit holder maintains the plan at the construction site and does not submit the plan to DEQ for approval before commencing construction.

The general permit does not require storm water discharge samples to be collected from the construction site. However, the site must be inspected by the permittee on a regular basis and after rainfall events. Non-storm water discharges at the site are prohibited unless in compliance with a separate VPDES permit. However, the following non-storm water discharges are allowed: discharges from fire fighting activities; fire hydrant flushings; waters used to wash vehicles where detergents are not used; water used to control dust; potable water sources including waterline flushings; water used for hydrostatic testing of new pipeline construction; routine external building wash down which does not use detergents; pavement washwaters where spills or leaks of toxic or hazardous materials have not occurred (unless all spilled material has been removed) and where detergents are not used; air conditioning condensate; uncontaminated compressor condensate; uncontaminated ground water or spring water; and foundation or footing drains where flows are not contaminated with process materials such as solvents.

The general permit covers storm water discharges from the site during the construction phase only. Once the site has undergone final stabilization and all storm water discharges from the construction activity are eliminated, the permit holder must submit a Notice of Termination to DEQ. If a storm water discharge permit is required for the operations at the site after construction is complete, a separate storm water permit must be applied for from DEQ prior to beginning operations.

D. Additional Storm Water Permitting Information

The DEQ Regional Offices are available to answer storm water permitting questions and supply application forms. Attachment 2 lists the DEQ Regional Office storm water contacts, addresses and phone numbers. DEQ also has storm water permitting information and application forms on the world wide web at: <http://www.deq.virginia.gov> EPA's storm water information on the web is located at: http://cfpub2.epa.gov/npdes/home.cfm?program_id=6

CONSTRUCTION SITE STORM WATER POLLUTION PREVENTION PLANS

I. DEFINITIONS

The words and terms used in this permit have the meanings defined in the State Water Control Law (§ 62.1-44.2 et seq. of the Code of Virginia) and 9 VAC 25-31 (VPDES Permit Regulation) unless the context clearly indicates otherwise, except that for the purposes of this permit:

Commencement of construction means the initial disturbance of soils associated with clearing, grading, or excavating activities or other construction activities.

Construction activity means any clearing, grading or excavation associated with large construction activity, or associated with small construction activity.

Control measure means any best management practice or other method used to prevent or reduce the discharge of pollutants to surface waters.

Final stabilization means that one of the following situations has occurred:

1. All soil disturbing activities at the site have been completed and a permanent vegetative cover has been established on denuded areas not otherwise permanently stabilized. Permanent vegetation shall not be considered established until a ground cover is achieved that is uniform, mature enough to survive, and will inhibit erosion.
2. For individual lots in residential construction, final stabilization can occur by either:
 - a. The homebuilder completing final stabilization as specified in subdivision 1 of this definition; or
 - b. The homebuilder establishing temporary stabilization, including perimeter controls for an individual lot prior to occupation of the home by the homeowner, and informing the homeowner of the need for, and benefits of, final stabilization.
3. For construction projects on land used for agricultural purposes (e.g., pipelines across crop or range land), final stabilization may be accomplished by returning the disturbed land to its preconstruction agricultural use. Areas disturbed that were not previously used for agricultural activities, such as buffer strips immediately adjacent to surface waters, and areas which are not being returned to their preconstruction agricultural use must meet the final stabilization criteria specified in subdivision 1 or 2 of this definition.

Large construction activity means construction activity including clearing, grading and excavation except operations that result in the disturbance of less than five acres of total land area. Large construction activity also includes the disturbance of less than five acres of total land area that is a part of a larger common plan of development or sale if the larger common plan will ultimately disturb five acres or more.

Municipal separate storm sewer means a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains): (i) owned or operated by a state, city, town, borough, county, parish, district, association, or other public body (created by or pursuant to state law) having jurisdiction over disposal of sewage, industrial wastes, storm water, or other wastes, including special districts under state law such as a sewer district, flood control district or drainage district, or similar entity, or an Indian tribe or an authorized Indian tribal organization, or a designated and approved management agency under § 208 of the Clean Water Act (CWA) (33 USC § 1251 et seq.) that discharges to surface waters of the state; (ii) designed or used for collecting or conveying storm water; (iii) that is not a combined sewer; and (iv) that is not part of a POTW.

Operator means, in the context of storm water associated with construction activity, any person associated with a construction project that meets either of the following two criteria: (i) the person has direct operational control over construction plans and specifications, including the ability to make modifications to those plans and specifications or (ii) the person has day-to-day operational control of those activities at a project which are necessary to ensure compliance with a storm water pollution prevention plan for the site or other permit conditions (i.e., they are authorized to direct workers at a site to carry out activities required by the storm water pollution prevention plan or comply with other permit conditions).

Permittee means any operator whose construction site is covered under this general permit.

Point source means any discernible, confined, and discrete conveyance, including but not limited to, any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, landfill leachate collection system, vessel or other floating craft from which pollutants are or may be discharged. This term does not include return flows from irrigated agriculture or agricultural storm water runoff.

Runoff coefficient means the fraction of total rainfall that will appear at the conveyance as runoff.

Small construction activity means construction activity including clearing, grading, and excavating that results in land disturbance of equal to or greater than one acre and less than five acres. Small construction activity also includes the disturbance of less than one acre of total land area that is part of a larger common plan of development or sale if the larger common plan will ultimately disturb equal to or greater than one and less than five acres. Small construction activity does not include routine maintenance that is performed to maintain the original line and grade, hydraulic capacity, or original purpose of the facility.

Storm water means storm water runoff, snow melt runoff, and surface runoff and drainage.

Storm water discharge associated with construction activity means a discharge of pollutants in storm water runoff from areas where soil disturbing activities (e.g., clearing, grading, or excavation); construction materials or equipment storage or maintenance (e.g., fill piles, borrow area, concrete truck washout, fueling); or other industrial storm water directly related to the construction process (e.g., concrete or asphalt batch plants) are located.

II. POLLUTION PREVENTION PLAN REQUIREMENTS

A storm water pollution prevention plan (SWPPP) shall be developed and implemented for the construction activity covered by this permit. SWPPPs shall be prepared in accordance with good engineering practices. The SWPPP shall identify potential sources of pollution which may reasonably be expected to affect the quality of storm water discharges from the construction site. In addition, the SWPPP shall describe and ensure the implementation of practices which will be used to reduce pollutants in storm water discharges from the construction site, and to assure compliance with the terms and conditions of this permit.

The SWPPP requirements of this general permit may be fulfilled by incorporating by reference other state, tribal or local plans such as an erosion and sediment control (ESC) plan, a spill prevention control and countermeasure (SPCC) plan developed for the site under § 311 of the federal Clean Water Act or best management practices (BMP) programs otherwise required for the facility provided that the incorporated plan meets or exceeds the SWPPP requirements of section D below. If an erosion and sediment control plan for the construction activity is being incorporated by reference, the referenced plan must be approved by the locality in which the construction activity is to occur or by another appropriate plan approving authority authorized under the Erosion and Sediment Control Regulations (4 VAC 50-30) prior to the commencement of construction. All plans incorporated by reference into the SWPPP become enforceable under this permit. If a plan incorporated by reference does not contain all of the required elements of the SWPPP of section D, the permittee must develop the missing elements and include them in the required SWPPP.

Once a definable area has been finally stabilized, the operator may mark this on the SWPPP and no further SWPPP or inspection requirements apply to that portion of the site (e.g., earth disturbing activities around one of three buildings in a complex are done and the area is finally stabilized; one mile of a roadway or pipeline project is done and finally stabilized, etc.).

The operator must implement the SWPPP as written from commencement of construction activity until final stabilization is complete.

A. Deadlines for SWPPP preparation and compliance.

1. The SWPPP shall be prepared prior to submittal of the registration statement and provide for compliance with the terms and schedule of the plan beginning with the initiation of construction activities.
2. For ongoing construction activity involving a change of operator, the new operator shall accept and maintain the existing SWPPP, or prepare and implement a new SWPPP prior to taking over operations at the site.

B. Signature, plan review and making plans available.

1. The SWPPP shall be signed in accordance with the VPDES Permit Regulation (9VAC25-31).
2. The SWPPP shall be retained, along with a copy of this permit at the construction site from the date of commencement of construction activity to the date of final stabilization. Permittees with day-to-day operation control over SWPPP implementation shall have a copy of the plan available at a central location on-site for the use of all operators and those identified as having responsibilities under the plan whenever they are on the construction site. The SWPPP must be made available, in its entirety, to the department for review at the time of an on-site inspection.
3. The permittee shall make SWPPPs available upon request to the department; a state or local agency approving sediment and erosion plans, grading plans, or storm water management plans; local government officials; or the operator of a municipal separate storm sewer system receiving discharges from the site.

C. Maintaining an updated SWPPP.

1. The permittee shall amend the SWPPP whenever there is a change in design, construction, operation, or maintenance that has a significant effect on the discharge of pollutants to surface waters and that has not been previously addressed in the SWPPP.
2. The SWPPP must be amended if during inspections or investigations by site staff, or by local, state or federal officials, it is determined that the discharges are causing water quality exceedances, or the SWPPP is ineffective in eliminating or significantly minimizing pollutants in storm water discharges from the construction site.
3. Based on the results of an inspection, the SWPPP must be modified as necessary to include additional or modified BMPs designed to correct problems identified. Revisions to the SWPPP must be completed within seven calendar days following the inspection. Implementation of these additional or modified BMPs must be accomplished as described in section D 3 b.
4. The SWPPP must clearly identify for each measure identified in the plan, the contractor(s) or subcontractor(s) that will implement the measure. The SWPPP shall be amended to identify any new contractor that will implement a measure of the plan.

D. Storm water pollution prevention plan contents.

The SWPPP shall include the following items:

1. Site and activity description. Each SWPPP shall provide the following information:

- a. A description of the nature of the construction activity, including the function of the project (e.g., low density residential, shopping mall, highway, etc.);
- b. The intended sequence and timing of activities that disturb soils at the site (e.g., grubbing, excavation, grading, utilities and infrastructure installation).
- c. Estimates of the total area expected to be disturbed by excavation, grading, or other construction activities including off-site borrow and fill areas;
- d. A description of any other potential pollution sources, such as vehicle fueling, storage of fertilizers or chemicals, sanitary waste facilities, etc.
- e. Identification of the nearest receiving waters at or near the construction site that will receive discharges from disturbed areas of the project;
- f. The location and description on any discharge associated with industrial activity other than construction at the site. This includes storm water discharges from dedicated asphalt plants and dedicated concrete plants that are covered by this permit.
- g. A site map indicating:
 - (1) Directions of storm water flow and approximate slopes anticipated after major grading activities;
 - (2) Areas of soil disturbance and areas of the site which will not be disturbed;
 - (3) Locations of major structural and nonstructural controls identified in the SWPPP, including those that will be permanent controls that will remain after construction activities have been completed;
 - (4) Locations where stabilization practices are expected to occur;
 - (5) Surface water bodies (including wetlands);
 - (6) Locations where storm water discharges to a surface water;
 - (7) Locations of off-site material, waste, borrow or equipment storage areas covered by the plan;
 - (8) Locations of other potential pollution sources , such as vehicle fueling, storage of chemicals, sanitary waste facilities, etc.; and
 - (9) Areas where final stabilization has been accomplished and no further construction-phase permit requirements apply.

2. Controls to reduce pollutants. The SWPPP shall include a description of all pollution control measures that will be implemented as part of the construction activity to control pollutants in storm water discharges. For each major activity identified in the project description, the SWPPP shall clearly describe appropriate control measures, the general sequencing during the construction process in which the measures will be implemented, and which operator is responsible for the control measure's implementation.

a. Erosion and sediment controls.

(1) Stabilization practices. The SWPPP shall include a description of interim and permanent stabilization practices for the site. Site plans should ensure that existing vegetation is preserved where attainable and that disturbed portions of the site are stabilized. Stabilization practices may include, but are not limited to: temporary seeding, permanent seeding, mulching, geotextiles, sod stabilization, vegetative buffer strips, protection of trees, preservation of mature vegetation, riprap, gabions, facines, biologs and other appropriate measures. Use of impervious surfaces for stabilization should be avoided.

(a) A record of the dates when major grading activities occur, when construction activities temporarily or permanently cease on a portion of the site, and when stabilization measures are initiated shall be maintained and included in the SWPPP.

(b) Except as provided in section D 2 a (1) (c), (d) and (e), stabilization measures shall be initiated as soon as practicable in portions of the site where construction activities have temporarily or permanently ceased, but in no case more than seven days after the construction activity in that portion of the site has temporarily or permanently ceased.

(c) Where the initiation of stabilization measures by the seventh day after construction activity temporary or permanently ceased is precluded by snow cover or frozen ground conditions, stabilization measures shall be initiated as soon as practicable.

(d) Where construction activity on a portion of the site is temporarily ceased, and earth disturbing activities will be resumed within 30 days, temporary stabilization measures do not have to be initiated on that portion of the site.

(e) In drought-stricken areas where initiating perennial vegetative stabilization measures is not possible within seven days after construction activity has temporarily or permanently ceased, final vegetative stabilization measures shall be initiated as soon as practicable.

(2) Structural practices. The SWPPP shall include a description of structural practices to divert flows from exposed soils, retain/detain flows or otherwise limit runoff and the discharge of pollutants from exposed areas of the site. Such practices may include, but are not limited to: silt fences, earth dikes, drainage swales, sediment traps, check dams, subsurface drains, pipe slope drains, level spreaders, storm drain inlet protection, rock outlet protection, reinforced soil retaining systems, gabions, and temporary or permanent sediment basins. Structural practices should be located on upland soils to the degree attainable. The department encourages the use of a combination of sediment and erosion control measures in order to achieve maximum pollutant removal.

(a) Sediment basins: For common drainage locations that serve an area with three or more acres disturbed at one time, a temporary (or permanent) sediment basin providing 3,618 cubic feet of storage per acre drained, or equivalent control measures, shall be provided where attainable until final stabilization of the site. The 3,618 cubic feet of storage area per acre drained does not apply to flows from off-site areas and flows from on-site areas that are either undisturbed or have undergone final stabilization where such flows are diverted around both the disturbed area and the sediment basin. In determining whether installing a sediment basin is attainable, the permittee may consider factors such as site soils, slope, available area on site, etc. In any event, the permittee must consider public safety, especially as it relates to children, as a design factor for the sediment basin and alternative sediment controls shall be used where site limitations would preclude a safe design.

(b) For drainage locations which serve three or more acres at one time and where a temporary sediment basin or equivalent controls is not attainable, smaller sediment basins and/or sediment traps should be used. At a minimum, silt fences, vegetative buffer strips, or equivalent sediment controls are required for all down slope boundaries, and for those side slope boundaries deemed appropriate as dictated by individual site conditions.

(c) For drainage locations serving less than three acres, smaller sediment basins or sediment traps or both should be used. At a minimum, silt fences, vegetative buffer strips or equivalent sediment controls are required for all downslope boundaries, and for those side slope boundaries deemed appropriate as dictated by individual site conditions, of the construction area unless a sediment basin providing storage for 3,618 cubic feet of storage per acre drained is provided.

b. Management practices.

(1) All control measures must be properly selected, installed, and maintained in accordance with manufacturer specifications and good engineering practices. If periodic inspections or other information indicates a control has been used inappropriately, or incorrectly, the permittee must replace or modify the control for site situations as soon as practicable.

(2) If sediment escapes the construction site, off-site accumulations of sediment must be removed at a frequency sufficient to minimize off-site impacts.

(3) Litter, construction debris, and construction chemicals exposed to storm water shall be prevented from becoming a pollutant source in storm water discharges.

c. Storm water management.

(1) The SWPPP shall include a description of all post-construction storm water management measures that will be installed during the construction process to control pollutants in storm water discharges after construction operations have been completed. Structural measures should be placed on upland soils to the degree attainable. Such measures must be designed and installed in accordance with applicable local and/or state requirements.

(2) Such measures may include, but are not limited to: storm water detention structures (including dry ponds); storm water retention structures; flow attenuation by use of open vegetated swales and natural depressions; infiltration of runoff on-site; storm water wetlands; sand filters; bioretention systems; water quality structures; and sequential systems (which combine several practices). The SWPPP shall include an explanation of the technical basis used to select the practices to control pollution where flows exceed predevelopment levels.

(3) Velocity dissipation devices shall be placed at discharge locations and along the length of any outfall channel to provide a nonerosive flow velocity from the structure to a water course so that the natural physical and biological characteristics and functions are maintained and protected (e.g., no significant changes in the hydrological regime of the receiving water).

d. Other controls.

(1) The SWPPP shall describe measures to prevent the discharge of solid materials, including building materials, garbage, and debris to surface waters of the state, except as authorized by a Clean Water Act § 404 permit.

(2) Where construction vehicle access routes intersect paved public roads, provisions shall be made to minimize the transport of sediment by vehicular tracking onto the paved surface. Where sediment is transported onto a public road surface, the road shall be cleaned thoroughly at the end of each day. Sediment shall be removed from the roads by shoveling or sweeping and transported to a sediment control disposal area. Street washing shall be allowed only after sediment is removed in this manner.

(3) The SWPPP shall ensure and demonstrate compliance with applicable state or local waste disposal, sanitary sewer or septic system regulations.

(4) The SWPPP shall include a description of construction and waste materials expected to be stored on-site with updates as appropriate. The plan shall also include a description of controls to reduce pollutants from these materials, including storage practices to minimize exposure of the materials to storm water, and for spill prevention and response.

(5) The SWPPP shall include a description of pollutant sources from areas other than construction (including storm water discharges from dedicated asphalt plants and dedicated concrete plants), and a description of controls and measures that will be implemented at those sites to minimize pollutant discharges.

e. Applicable state or local programs.

The SWPPP shall be consistent with all applicable state or local requirements for soil and erosion control and storm water management including updates to the SWPPP as necessary to reflect any revisions to applicable state or local requirements for soil and erosion control.

3. Maintenance of controls.

a. The SWPPP must include a description and schedule of procedures to maintain in good and effective operating conditions vegetation, erosion and sediment control measures and other protective measures during construction identified in the site plan. If site inspections required by section D 4 identify BMPs that are not operating effectively, maintenance shall be performed before the next anticipated storm event, or as soon as practicable to maintain the continued effectiveness of storm water controls.

b. If existing BMPs need to be modified or if additional BMPs are necessary for any reason, implementation shall be completed before the next anticipated storm event. If implementation before the next anticipated storm event is impracticable, the situation shall be documented in the SWPPP and alternative BMPs shall be implemented as soon as practicable.

c. Sediment must be removed from sediment traps or sedimentation ponds when design capacity has been reduced by 25%.

4. Inspections. Inspections by qualified personnel must be conducted of all areas of the site disturbed by construction activity, and areas used for storage of materials that are exposed to storm water. "Qualified personnel" means a person knowledgeable in the principles and practice of erosion and sediment controls, such as a licensed professional engineer, responsible land disturber (RLD), or other knowledgeable person who possesses the skills to assess conditions at the construction site that could impact storm water quality, and to assess the effectiveness of any sediment and erosion control measures selected to control the quality of storm water discharges from the construction activity.

a. Inspections shall be conducted at least once every 14 calendar days and within 48 hours of the end of any runoff producing storm event. Where areas have been finally or temporarily stabilized or runoff is unlikely due to winter conditions (e.g., the site is covered with snow or ice, or frozen ground exists) such inspections shall be conducted at least once every month.

b. Inspectors must look for evidence of, or the potential for, pollutants entering the storm water conveyance system. Erosion and sediment control measures identified in the SWPPP shall be observed to ensure proper operation. Discharge locations where accessible shall be inspected to ascertain whether erosion control measures are effective in preventing significant impacts to receiving waters. Where discharge locations are inaccessible, nearby downstream locations shall be inspected to the extent that such inspections are practicable. Locations where vehicles enter or exit the site shall be inspected for evidence of off-site sediment tracking.

c. Utility line installation, pipeline construction, and other examples of long, narrow, linear construction activities may limit the access of inspection personnel to the areas described in section D 4 b. Inspection of these areas could require that vehicles compromise temporarily or even permanently stabilized areas, cause additional disturbance of soils, and increase the potential for erosion. In these circumstances, controls must be inspected on the same frequencies as other construction projects, but representative inspections may be performed. For representative inspections, personnel must inspect controls along the construction site for 0.25 miles above and below each access point where a roadway, undisturbed right-of-way, or other similar feature intersects the construction site and allows access to the areas described above. The conditions of the controls along each inspected 0.25-mile segment may be considered as representative of the condition of controls along that reach extending from the end of the 0.25-mile segment to either the end of the next 0.25-mile segment, or to the end of the project, whichever occurs first. Inspection locations must be listed in the report required by section D 4 e.

d. Based on the results of the inspection, the site and activity description identified in the plan in accordance with section D 1 of this permit and pollution prevention measures identified in the SWPPP in accordance with section D 2 of this permit shall be revised as appropriate within seven calendar days following the inspection.

e. A report summarizing the scope of the inspection, names and qualifications of personnel making the inspection, the dates of the inspection, major observations relating to the implementation of the SWPPP, and actions taken in accordance with section D 4 d of the permit shall be made and retained as part of the SWPPP in accordance with the VPDES Permit Regulation. Major observations should include:

- (1) The location(s) of discharges of sediment or other pollutants from the site;
- (2) Location(s) of BMPs that need to be maintained;
- (3) Location(s) of BMPs that failed to operate as designed or proved inadequate for a particular location;
- (4) Location(s) where additional BMPs are needed that did not exist at the time of inspection; and
- (5) Corrective action required including any changes to the SWPPP that are necessary and implementation dates.

The reports shall identify any incidents of noncompliance. Where a report does not identify any incidents of noncompliance, the report shall contain a certification that the facility is in compliance with the storm water pollution prevention plan and this permit. The report shall be signed in accordance with the VPDES Permit Regulation.

5. Nonstorm water discharge management. The SWPPP shall identify all allowable sources of nonstorm water discharges that are combined with storm water discharges from the construction activity at the site, except for flows from fire fighting activities. The SWPPP shall identify and ensure the implementation of appropriate pollution prevention measures for the nonstorm water components of the discharge.

**DEPARTMENT OF ENVIRONMENTAL QUALITY
REGIONAL OFFICES and STORM WATER PERMIT CONTACTS**

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Cities and Counties Served By DEQ Regional Offices

NORTHERN VIRGINIA (NVRO)

Counties:

Arlington
Caroline
Culpeper
Fairfax
Fauquier
King George
Louisa
Loudoun
Madison
Orange
Prince William
Rappahannock
Spotsylvania
Stafford

Cities:

Alexandria
Fairfax
Falls Church
Fredericksburg
Manassas
Manassas Park

PIEDMONT (PRO)

Counties:

Amelia
Brunswick
Charles City
Chesterfield
Dinwiddie
Essex
Goochland
Gloucester
Greensville
Hanover
Henrico
King and Queen
King William
Lancaster
Mathews
Middlesex
New Kent
Northumberland
Powhatan
Prince George
Richmond
Surry
Sussex
Westmoreland

Cities:

Colonial Heights
Emporia
Hopewell
Petersburg

Richmond

SOUTH CENTRAL (SCRO)

Counties:

Amherst
Appomattox
Buckingham
Campbell
Charlotte
Cumberland
Halifax
Lunenburg
Mecklenburg
Nottoway
Pittsylvania
Prince Edward

Cities:

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Lynchburg
South Boston

SOUTHWEST (SWRO)

Counties:

Bland
Buchanan
Carroll
Dickenson
Grayson
Lee
Russell
Scott
Smyth
Tazewell
Washington
Wise
Wythe
Cities:
Bristol
Galax
Norton

TIDEWATER (TRO)

Counties:

Accomack
Isle of Wight
James City
Northampton
Southampton
York
Cities:
Chesapeake
Franklin
Hampton
Newport News
Norfolk

Poquoson
Portsmouth
Suffolk
Virginia Beach
Williamsburg

VALLEY (VRO)

Counties:

Albemarle
Augusta
Bath
Clarke
Fluvanna
Frederick
Greene
Highland
Nelson
Page
Rockbridge
Rockingham
Shenandoah
Warren

Cities:

Buena Vista
Charlottesville
Harrisonburg
Lexington
Staunton
Waynesboro
Winchester

WEST CENTRAL (WCRO)

Counties:

Alleghany
Bedford
Botetourt
Craig
Floyd
Franklin
Giles
Henry
Montgomery
Patrick
Pulaski
Roanoke

Cities:

Bedford
Clifton Forge
Covington
Martinsville
Radford
Roanoke
Salem

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